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STATE FOR OES/PCI/SPERLING, SHAW
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SUBJECT: SOUTH AFRICA: OESI PROPOSAL FOR ENVIRONMENTAL GOVERNANCE

REF: A) STATE 35327; B) 04 PRETORIA 2001

1. Summary and introduction. Embassy Pretoria appreciates the funding opportunity offered in Ref A and is pleased to make a proposal in support of the OES Bureau's signature initiative of Governance. The proposed activity fosters strong cooperation between South African and U.S. officials, builds strong technical foundations for future collaboration in the environmental policy arena and provides an effective way to convey U.S. values and policies on environmental governance in a practical, applied context. Although the activity is primarily bilateral in focus, we expect that South Africa will in the future share lessons learned on environmental governance with other countries in the region, through various international and regional fora and at a conference planned for August 2006 in South Africa. This proposal has been coordinated with the relevant OES point of contact and with REHO Gaborone, and is keyed to Ref A format. End summary and introduction.

A) Project title: Capacity Building for Environmental Governance

B) Strategic goals addressed by the project: environmental protection, environmental governance, conservation of biodiversity/wildlife.

C) Problem/issue addressed by the project: building capacity of the South African government to implement a new body of environmental legislation, including enforcement of rules against industrial pollution, wildlife smuggling and marine smuggling.

D) Anticipated results: new environmental management inspectors receive comprehensive training that incorporates U.S. expertise and advice; prosecutors have heightened understanding and awareness of environmental cases (many for the first time ever), benefiting from the perspectives of USEPA and U.S. Department of Justice; and, South Africa's effectiveness in pursuing environmental investigations and prosecutions greatly improves: the number of cases developed, brought to trial, and successfully prosecuted grows significantly.

E) U.S. security interests are furthered through stronger government-to-government collaboration. The relationships and networks developed through this project can potentially support efforts on bioterrorism.

F) Through improved environmental compliance, the project supports sustainable economic growth and development in South Africa, a top Mission Program Plan priority. Strengthening the government's ability to enforce its environmental statutes will support improved governance and by extension, political stability.

G) Recipient of funds will be the U.S. Embassy in Pretoria, through a fund cite obligation; the Embassy's Narcotics and Law Enforcement Affairs (NLEA) section will assist Economic Section/EST Unit in managing and accounting for the money, as it has with FY 2004-5 AF ESF monies.

H) Project Description:

The project builds on successful activities and partnerships that began in 2005, with support from bilateral AF ESF funding.

Background: In 2004, South Africa finalized new environmental legislation (Ref B), which provided for the establishment of a corps of environmental management inspectors (EMIs) empowered to work on environmental compliance and investigations. Representatives from the U.S. Environmental Protection Agency and the UK Environment Agency (EA) collaborated with the South African Department of Environmental Affairs (DEAT) in the planning and staging of a wide-ranging symposium in February 2005 to solicit extensive feedback from various stakeholders (at national, provincial, and local levels; government and civil society) on inspector training needs. Following the symposium and a model training course led by EPA experts, the EPA, EA and DEAT representatives developed comprehensive training

courses and related materials for five different "grades" of inspectors. EPA experts and their UK counterparts will return to assist with the first EMI training course in August 2005. This "bridging" training will focus on upgrading the skills and capacity of many existing environmental officers to enable them to become full-fledged environmental management inspectors, according to new laws and regulations. Some provinces are beginning to hire new EMIs and these new hires will also be trained. DEAT plans to run five two-week long EMI training sessions around the country.

The second, complementary activity also underway involves collaboration between EPA, U.S. Department of Justice, DEAT and South Africa's National Prosecuting Authority (NPA), to develop and deliver a four-day training workshop for about 30 hand-picked prosecutors from NPA offices around the country, planned for July 2005. As part of the process for planning and delivering the prosecutor training, DEAT will also develop comprehensive training materials to share with the national Justice College, which trains both prosecutors and magistrates (judges).

Next steps: The project to be funded by OESI will build on the strong base of successful inspector training and prosecutor training started in 2005. In addition to quarterly "feedback sessions," which will include EPA and UK EA experts by videoconference and focus on improving and fine-tuning the EMI training, DEAT expects to offer training for large numbers of newly-hired EMIs in April 2006 and to host a first-ever environmental compliance conference in August 2006. We propose to use some of the OESI funding to support participation of EPA experts in the EMI training and the conference. DEAT plans to invite colleagues from the region to join the conference.

In addition, interest in prosecutor training is high but the July 2005 session will accommodate only 30 participants. DEAT would like to hold a second prosecutor training session in 2006. The NPA strongly supports the environmentally focused prosecutor training, but its resources, based on local pressures, are directed at dealing with violent crime. Therefore, we propose to use OESI funds to enable U.S. experts to travel to South Africa to help conduct a second training course, as well as to fund local travel costs and conferencing costs for 30 additional prosecutors to benefit from the training.

I) Performance targets: April 2006, delivery of inspector training course; June 2006, delivery of prosecutor training course; August 2006, US participation in environmental enforcement conference.

J) Assumptions: continued strong support from and engagement with partners at EPA, DOJ and South Africa's DEAT and NPA.

K) Total proposed cost: \$60,000.

L) Funding is requested for the travel costs for U.S. experts to participate in the inspector and prosecutor training and symposia planned for 2006, and to cover conference venue hire, lodging and travel costs for prosecutors participating in the prosecutor training course. Travel expenses (U.S.-South Africa return airfare, lodging and M&IE) for U.S. experts: \$40,000. Conference Venue/Lodging for approximately 25 SA prosecutors: \$10,000. Local travel costs for approximately 25 SA prosecutors: \$10,000.

M) Principal partners: U.S. Environmental Protection Agency, U.S. Department of Justice, SA Department of Environmental Affairs and Tourism.

N) Role and resources contributed by partners: expertise and staff time for planning, development of training materials and participation in activities. DEAT will also contribute staff time for event logistics planning and will fund the venue and other related costs for hosting the inspector training activity.

O) OES/HUB sponsoring offices: OES/PCI point of contact for Governance signature initiative supports the proposal, as does Gaborone-based Regional Environmental and Health Hub Officer for southern Africa. Embassy Pretoria's Econ/EST Unit, with NLEA assistance, has responsibility for implementation and coordination of the project.

12. Embassy Pretoria Point of Contact for the proposal is ES&T Officer Jill Derderian, Tel +27-12-431-4345, Fax +27-12-342-6163, e-mail: derderianjx@state.gov. Endorsing Regional Environmental Hub Officer is Ted Pierce, Tel +267-395-3982, x5257, Fax +267-395-6947, e-mail: piercets@state.gov.

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